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2837

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Docket No.: 07840001AA

Shulan Tan

Confirmation No.: 1821

Serial No.: 09/804,878

Group Art Unit. No.: 2837

Filed: March 13, 2001

Examiner: Lockett, Kimberly R.

For: **APPARATUS AND METHOD OF LETTER LEARNING FINGER
PATTERNS FOR STRINGED INSTRUMENTS**

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SEP 27 2005

Office of Patent Publication
Director's Office

Mail Stop: Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RE-SUBMISSION OF PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 C.F.R. §1.181(a)**

Sir:

On March 16, 2004, Applicant submitted a Petition to Withdraw Holding of Abandonment for the above-identified patent application. To this date, Applicant has not received a response from the U.S. Patent Office and after several attempts to inquiry about the status of the application, Applicant has been informed by the U.S. Patent Office that the Petition filed on March 16, 2004 cannot be located, and the application remains abandoned. Therefore, a copy of the Petition to Withdraw Holding of Abandonment and its accompanying documents, along with a copy of the date stamped postcard evidencing these documents were received by the U.S. Patent Office on March 16, 2004 is enclosed herewith. As indicated in the attached copy of the Petition to Withdraw Holding of Abandonment, Applicant had timely complied with all submissions prior to the Notice of Abandonment as evidenced by the dated stamped postcards; therefore, the Application should never have gone abandoned in the first place.

Accordingly, Applicant requests that the holding of abandonment be withdrawn and that this application be returned to issue.

U.S. Patent Application No.: 09/804,878

Applicant: Shulan Tan

- 2 -

No fee is believed to be due in connection with this petition since the errors were due to the actions of the USPTO, but if that is incorrect and a fee is due, the fee may be charged to Deposit Account No. 23-1951.

Favorable consideration of this petition is earnestly solicited. If the deciding official has any questions, he or she is invited to contact the undersigned to discuss those questions.

Respectfully submitted,



Charles J. Gross
Reg. No. 52,972

Richard S. Meyer
Reg. No. 32,541

Date: June 17, 2005

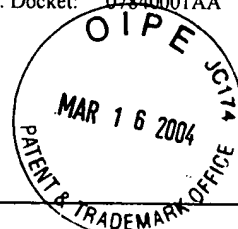
McGuireWoods LLP
Suite 1800
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McLean, VA 22102
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Inventor: Shulan TAN
Serial No.: 09/804,878
Filing Date: March 13, 2001
For: **APPARATUS AND METHOD OF LETTER
LEARNING FINGER PATTERNS FOR STRINGED
INSTRUMENTS**

Date: March 16, 2004
Group Art.: 2837
Examiner: Kimberly R. LOCKETT
Atty. Docket: 07840001AA



Commissioner for Patents:

Please place the Patent Office receipt stamp hereon to acknowledge receipt of the following:

1. Petition to Withdraw Holding of Abandonment Under 37 C.F.R. §1.181(a);
2. A copy of the Notice of Abandonment received March 3, 2004;
3. A copy of a date-stamped postcard receipt evidencing the filing of a Response to the Notice to File Corrected Application Papers in the U.S. Patent and Trademark Office on October 20, 2003;
4. A copy of a Response to Notice to File Corrected Application Papers filed in the U.S. Patent and Trademark Office on October 20, 2003;
5. A copy of the Notice to File Corrected Application Papers dated October 8, 2003;
6. Supplemental Response to Notice to File Corrected Application Papers; and
7. An acknowledgement postcard.

HAND DELIVER

Andrew M. Calderon
Registration No. 38,093

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Docket No.: 07840001AA

Shulan Tan

Confirmation No.: 1821

Serial No.: 09/804,878

Group Art Unit. No.: 2837

Filed: March 13, 2001

Examiner: Lockett, Kimberly R.

For: **APPARATUS AND METHOD OF LETTER LEARNING FINGER
PATTERNS FOR STRINGED INSTRUMENTS**

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PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 C.F.R. §1.181(a)

Sir:

Applicant has received a Notice of Abandonment mailed on March 2, 2004 for the above-identified patent application, a copy of which is enclosed. The Notice of Abandonment alleges that Applicant failed to respond to a Notice to File Corrected Application Papers mailed by the Office on October 8, 2003. Applicant believes that the Notice of Abandonment is incorrect, because Applicant did reply to the Notice to File Corrected Application Papers on October 20, 2003. Therefore, Applicant respectfully petitions for withdrawal of the holding of abandonment. No fee is believed to be due in connection with this petition, but if that is incorrect and a fee is due, the fee may be charged to Deposit Account No. 23-1951.

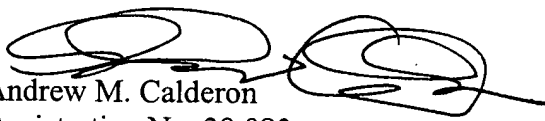
The Notice to File Corrected Application Papers indicated that no brief description of the drawings had been provided for Figs. 18 and 19, which were originally filed with the application, and set a non-extendable 30-day period for reply. On October 20, 2003, well within the 30-day period for reply, Applicant submitted a response to the Notice to File Corrected Application Papers that included an amendment to the specification to insert the required description. That response was accompanied by a postcard receipt which indicated that the filing consisted of "a Response to Notice to File Corrected Application Papers," "a copy of the Notice to File

Corrected Application Papers,” and “an acknowledgment postcard.” Applicant encloses a complete copy of the response that was filed on October 20, 2003, along with a copy of the postcard stamped by the Office of Initial Patent Examination indicating receipt of the documents by hand delivery on October 20, 2003. To the best of the undersigned’s knowledge, the response filed on October 20, 2003 was a complete response to the Notice to File Corrected Application Papers and was actually filed on that date. Accordingly, Applicant requests that the holding of abandonment be withdrawn and that this application be returned to issue.

Favorable consideration of this petition is earnestly solicited. If the deciding official has any questions, he or she is invited to contact the undersigned to discuss those questions.

As an additional matter, Applicant has noticed an inaccuracy in the text of the October 20, 2003 response and, therefore, encloses a supplemental response. Entry of the supplemental response is respectfully requested.

Respectfully submitted,


Andrew M. Calderon
Registration No. 38,093

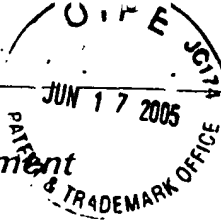
Andrew J. McAleavey
Registration No. 50,535

McGuireWoods LLP
Suite 1800
1750 Tysons Blvd.
McLean, VA 22102
(703) 712-5426

Enclosures: Copy of Notice of Abandonment
Copy of stamped postcard receipt
Copy of Response filed October 20, 2003
Supplemental Response

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Notice of Abandonment



Application No.

Applicant(s)

91804878

Shulan Tan

Examiner

Art Unit

Kimberly Lockett

2837

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 10/08/03.

(a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.

(b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 C.F.R. 1.113(a) to the final rejection.

(A proper reply under 37 C.F.R. 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 C.F.R. 1.114).

(c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 C.F.R. 1.85(a) and 1.111. (See explanation in box 7 below).

(d) ☒ No reply has been received.

2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).

(a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).

(b) ☐ The submitted issue fee of \$ _____ is insufficient. A balance of \$ _____ is due.

The issue fee required by 37 C.F.R. 1.18 is \$ _____. The publication fee, if required by 37 C.F.R. 1.18(d) is \$ _____.

(c) ☐ The issue fee and publication fee, if applicable, has not been received.

3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).

(a) ☐ Proposed new formal drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.

(b) ☐ No corrected drawings have been received.

4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

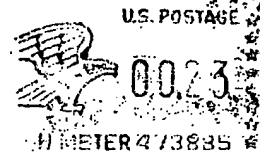
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 C.F.R. 1.34(a)) upon the filing of a continuing application.

6. ☐ The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7. ☒ The reason(s) below:

Figures 18 and 19 are not described on page 6.

Petitions to revive under 37 C.F.R. 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 C.F.R. 1.181, should be promptly filed to minimize any negative effects on patent term.



MAILING LABEL

OCT 28 2003

McGUIREWOODS LLP
1750 Tysons Boulevard
Suite 1800
McLean, VA 22102

Inventors:	Shulan Tan	Date:	October 20, 2003	
Serial No.:	09/804,878	Group Art.:	2837	
Filing Date:	March 13, 2001	Examiner:	Lockett, Kimberly R.	
For:	APPARATUS AND METHOD OF LETTER LEARNING FINGER PATTERNS FOR STRINGED INSTRUMENTS		Atty. Docket:	07840001AA

Commissioner for Patents:

Please place the Patent Office receipt stamp hereon to acknowledge receipt of the following:

1. A Response to Notice to File Corrected Application Papers;
2. A Copy of the Notice to File Corrected Application Papers; and
3. An acknowledgement postcard.

Andrew M. Calderon
Registration No. 38,093

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Serial No.: 09/804,878.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of
Shulan Tan

Docket No.: 07840001AA

Serial No.: 09/804,878

Group Art Unit No.: 2837

Filed: March 13, 2001

Examiner: Lockett, Kimberly R.

For: **APPARATUS AND METHOD OF LETTER LEARNING FINGER PATTERNS
FOR STRINGED INSTRUMENTS**

Rori Burch
2231 Crystal Drive, Suite 918.
Alexandria, VA 22202

RESPONSE TO NOTICE TO FILE
CORRECTED APPLICATION PAPERS

Sir:

In response to the Notice Action dated October 8, 2003, please amend the above-identified application as follows.

Applicants believe that no extensions of time or fees for net addition of claims are required at this time. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 23-1951.

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Serial No.: 09/804,878

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AMENDMENT TO SPECIFICATION

IN THE SPECIFICATION:

A marked-up copy of the changes to selected paragraph(s) is provided below. Please enter these changes to the specification in the record.

Add Paragraph at page 6, between lines 1 and 2.

Fig. 18 is a major key wheel in accordance with the invention; and
Fig. 19 is a major key wheel in accordance with the invention.

Serial No.: 09/804,878

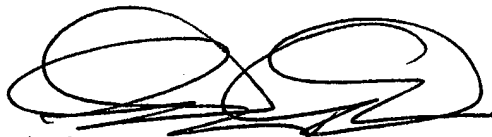
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REMARKS

Claims 1-6, 8, 9 and 25 are allowed. By this amendment, the specification is amended to include a description of Figures 18 and 19. This is responsive to the Notice dated October 8, 2003. A copy of the Notice is attached. Applicants now request the application be passed to issuance.

The Examiner is invited to contact the undersigned at the telephone number listed below, if needed. Applicant hereby makes a written conditional petition for extension of time, if required. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 23-1951.

Respectfully submitted,



Andrew M. Calderon
Registration No. 38,093

McGuireWoods LLP
Suite 1800
1750 Tysons Blvd.
McLean, VA 22102
(703) 712-5426

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SUITE 1800
MCLEAN VA 22102

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TECHNOLOGY CENTER 2800
Serial No. : 09/804878
Applicant : S MADISON
Filing Date : 3/13/2001
Date Mailed : 10/8/2003

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Notice of Allowance Mailed

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 30 days from the mail date of this Notice within which to correct the informalities indicated below. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136 (a) or (b).

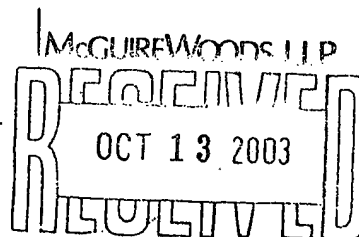
PLEASE SEND IN THE BRIEF DESCRIPTIONS FOR FIGURES 18 AND 19 THEY ARE NOT DESCRIBED IN THE SPECIFICATION.

APPLICANT MUST SUPPLY MISSING INFORMATION WITHIN 30 DAYS OF THE MAIL DATE OF THIS NOTICE.

A copy of this notice MUST be returned with the reply. Please address response to "Rori Burch 2231 CRYSTAL DRIVE SUITE 918 ALEXANDRIA, VA 22202

KIMELLA RODGERS

Data Query
Phone 703-305-8391
Fax 703-308-6642





THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Docket No.: 07840001AA

Shulan Tan

Group Art Unit. No.: 2837

Serial No.: 09/804,878

Examiner: Lockett, Kimberly R.

Filed: March 13, 2001

For: **APPARATUS AND METHOD OF LETTER LEARNING FINGER
PATTERNS FOR STRINGED INSTRUMENTS**

Rori Burch
2231 Crystal Drive, Suite 918
Alexandria, VA 22202

**SUPPLEMENTAL RESPONSE TO NOTICE TO FILE
CORRECTED APPLICATION PAPERS**

Sir:

In response to the Notice to File Corrected Application Papers mailed on October 8, 2003, and further to the response filed on October 20, 2003, which is being resubmitted with a Petition to Withdraw Holding of Abandonment, please amend the above-identified patent application as follows.

Applicant believes that no fees for extensions of time or net addition of claims are required at this time. However, if any extensions of time or fees are required, then such extensions of time are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required may be charged to Deposit Account No. 23-1951.

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AMENDMENT TO SPECIFICATION

IN THE SPECIFICATION:

A marked-up copy of the changes to certain paragraphs is provided below. Please enter these changes to the specification in the record.

Please amend the paragraphs inserted at page 6, between lines 1 and 2 as follows:

Fig. 18 is a major key wheel in accordance with the invention; and

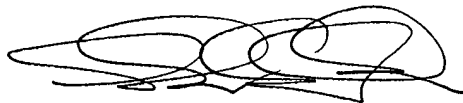
Fig. 19 is a ~~major~~ minor key wheel in accordance with the invention.

REMARKS

Claims 1-6, 8, 9 and 25 are allowed. This paper is being filed in response to a Notice to File Corrected Application Papers issued on October 8, 2003, and is supplemental to the response filed on October 20, 2003. Applicant notes that the October 20, 2003 response was apparently not received and is being resubmitted along with this supplemental response and a Petition to Withdraw Holding of Abandonment. Applicant respectfully requests that this application be passed to issuance.

The Examiner is invited to contact the undersigned at the telephone number listed below, if needed. Applicant hereby makes a written conditional petition for extension of time, if required. Please charge any deficiencies in fees and credit any overpayment of fees to Deposit Account No. 23-1951.

Respectfully submitted,



Andrew M. Calderon
Registration No. 38,093

Andrew J. McAleavey
Registration No. 50,535

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